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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/576,218	05/22/2000	Yong-Tae Jeong	P56085	2206

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EXAMINER

PHAM, THIERRY L

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 07/01/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/576,218

Applicant(s)

JEONG, YONG-TAE

Examiner

Thierry L Pham

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 14-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 14-37 is/are rejected.
- 7) ☒ Claim(s) 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

### DETAILED ACTION

1. This action is responsive to the following communication: an Amendment filed on 4/22/04.

#### *Claim Objections*

2. Claim 15 is objected to because of the following informalities: "the method of claim 1" should read as "the method of claim 14". Appropriate correction is required.

#### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 14-37 are rejected under 35 U.S.C. 102(b) as being anticipated by Ishii (JP 410116165A).

Regarding claim 14, Ishii discloses a method of reducing standby time for printing in a system of networked printers connected to at least one host computer, the method comprising:

- (1) registering (registering plurality of printers with a print server, fig. 1, page 3 of English translation) at least one item of network print information (printer information, page 3) in at least one host computer;
- (2) accessing (accessing information of the printers that connected via a network, fig. 1, page 3) the network printer information registered in the at least one host computer in response to a command for printing print-data being issued;
- (3) transmitting (transmitting via a LAN network, fig. 1, page 4) a request command from the at least one host computer to the networked printers requesting the networked printers to transmit standby print information to the at least one host computer (standby print information, abstract

and page 6), the standby print information relating to the amount of standby print operations (printer standby time, abstract) of the respective networked printers;

(4) determining a minimum-utilized networked printer(optimum printer, abstract) having a lowest amount of standby print operations from among the networked printers having standby print operations from the standby print information (printer with “waiting status”, that is, printers with a lowest amount of standby print operations, page 6) transmitted from the networked printers to the at least one host computer in response to the request command; and

(5) transmitting (transmitting the print data to the printer having the lowest standby time (lowest print operations), page 6) the print-data from the at least one host computer to the network printer determined to be the minimum-utilized network printer.

Regarding claim 15, Ishii further discloses the method of claim 14, wherein registering at least one item of network print information in at least one host computer comprises: determining (server, fig. 1, page 3) whether a command for registering network printer information in the at least one host computer has been issued; detecting (print server, page 4) the network printers connected to the network; and storing (storing section, fig. 2, page 4) the network printer information in a memory of the at least one host computer.

Regarding claim 16, Ishii further discloses the method of claim 15, further comprising assigning priority numbers to the network printer information in order of detection and storing the assigning priority numbers (left column, fig. 8) in the memory.

Regarding claim 17, Ishii further discloses the method of claim 16, wherein determining a minimum-utilized networked printer comprises: detecting (control mechanism, page 6) the priority numbers assigned to the networked printers having the lowest amounts of standby print operations (printer with waiting status, that is, printer with no print operations, page 6); and selecting (selects via a keyboard or mouse which is incorporated among the computer system) a networked printer having a preferential priority number as the minimum-utilized network printer.

Regarding claims 18-20, Ishii further discloses wherein the network printer information comprises an IP (Internet Protocol) address of the registered networked printer (second column of fig. 8).

Regarding claims 22-29, please see rejection rationale/basis as described in claims 14-21 (respectively) for more details.

Regarding claims 30-37, please see rejection rationale/basis as described claims 14-21 (respectively) for more details.

#### ***Response to Arguments***

5. Applicant's arguments filed 4/22/04 have been fully considered but they are not persuasive.

Regarding claims 14-37, the applicant argued the claimed invention implementing the network communication without a print server, wherein the prior art reference teaches a network communication using a print server.

In Response: The examiner will note that Applicant is arguing subject matter not claimed in claims 14-37. Nowhere in claims 14-37 that applicants recite the nature of "network communication without a print server". However, Ishii teaches a direct communication between a printer and host computer without having to use the print server (page 1).

#### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(1) U.S. 6459496 to Okazawa, discloses a method for selecting the printers having the lowest amount of standby time (abstract and figs. 4-8) via network communication between a host computer and printer without having to use the print server.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

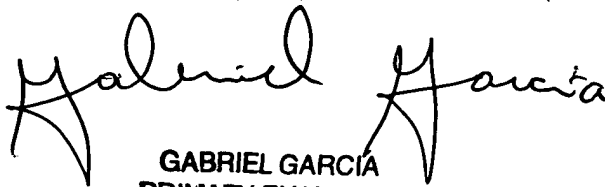
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L Pham whose telephone number is (703) 305-1897. The examiner can normally be reached on M-F (9:30 AM - 6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K Moore can be reached on (703)308-7452. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thierry L. Pham



GABRIEL GARCÍA  
PRIMARY EXAMINER